## SUPREME COURT MINUTES TUESDAY, MARCH 5, 2002 SAN FRANCISCO, CALIFORNIA

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 5, 2002, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Harry Kinney, Supreme Court Marshal.

S095918 Terence Silo, Plaintiff and Respondent

v.

CHW Medical Foundation et al., Defendants and Appellants Cause called. Stephen W. Parrish opened argument for Appellants.

Jeffrey A. Berman, appearing for Amicus Curiae General Conference of Seventh-day Adventists, continued argument for Appellants.

Anthony J. Poidmore argued for Respondent.

Mr. Parrish replied.

Cause submitted.

S089554 The People, Respondent

v.

Jose M. Alvarez, Appellant

Cause called. Carl H. Horst, Supervising Deputy Attorney General, argued for Respondent.

Carl Fabian argued for Appellant.

Mr. Horst replied.

Cause submitted.

S095385 The People, Plaintiff and Respondent

v.

Chuahutemoc Sanchez Valencia, Defendant and Appellant Cause called. Quisteen S. Shum, Deputy Attorney General, argued for Respondent.

Chris Truax opened argument for Appellant.

Cliff Gardner, appearing for Amicus Curiae Attorneys for Criminal Justice, continued argument for Appellant.

Mr. Shum replied.

Cause submitted.

Court recessed upon 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

Justice Marvin R. Baxter, not participating in consideration of the following case, did not take the bench.

The Honorable Eileen C. Moore, Associate Justice, Court of Appeal, Fourth District, Division Three, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S079245 The People, Respondent

v.

Gary Wayne Willis, Appellant

Cause called. Patrick Whalen, Deputy Attorney General, argued for Respondent.

Carlo Andreani argued for Appellant.

Mr. Whalen replied.

Cause submitted.

Justice Moore, not participating in the following matters, departs the bench. The Court is joined at the bench by Justice Baxter. All other officers were present as before shown.

## S036450 The People, Respondent

V.

Herbert Harris Koontz, Appellant

Cause called. Richard Power argued for Appellant.

Harry Joseph Colombo, Deputy Attorney General, argued for Respondent.

Mr. Power replied.

Cause submitted.

## S016730 The People, Respondent

V.

Raymond Edward Steele, Appellant

Cause called. Gregory Marshall argued for Appellant.

Eric L. Christoffersen, Deputy Attorney General, argued for Respondent.

Mr. Marshall replied.

Cause submitted.

Court recessed until 9:00 a.m., Wednesday, March 6, 2002.

#### S027766 People, Respondent

v.

Stephen Cole, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including May 6, 2002.

## S090162 In re Armenia Levi Cudjo, Jr.

on

Habeas Corpus

Good cause appearing, and based upon Deputies Federal Public Defender Linda Griffis' and Harry Simon's representation that they anticipate filing the reply informal response by November 2, 2002, counsel's request for an extension of time in which to file that brief is granted to April 5, 2002. After that date, only seven further extensions totaling 210 additional days are contemplated.

#### S094239 In re Michael Lamont Jones

on

Habeas Corpus

Good cause appearing, and based upon counsel William Flenniken, Jr.'s representation that he anticipates filing the reply informal response within 60 days, including this extension, counsel's request for an extension of time in which to file that brief is granted to March 27, 2002. After that date, only one further extension totaling 30 additional days is contemplated.

## S101047 Eric Humphrey, Petitioner

V.

Appellate Division of the Los Angeles Superior Court, Respondent People, Real Party in Interest

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including March 28, 2002.

No further extensions will be granted.

## S103084 People, Respondent

v.

Rodney Damon Reliford, Appellant

Upon request of appellant for appointment of counsel, Jonathan Milberg is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

## S103340 People, Respondent

v.

Julian Jesus Reynoso, Appellant

Upon request of appellant for appointment of counsel, Kim Malcheski is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

## S103343 People, Respondent

v.

John Paul Reynoso, Appellant

Upon request of appellant for appointment of counsel, A.M. Weisman is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

# S104725 In the Matter of the Resignation of **Shirley Zaiss Johnson**A Member of the State Bar of California

The voluntary resignation of **Shirley Zaiss Johnson**, **State Bar No. 37533**, as a member of the State Bar of California is accepted.

## S104738 In the Matter of the Resignation of Allan Alex Keseloff

A Member of the State Bar of California

The voluntary resignation of **Allan Alex Keseloff, State Bar No. 61714,** as a member of the State Bar of California is accepted.

S104742 In the Matter of the Resignation of **Charles Richard Kocher**A Member of the State Bar of California

The voluntary resignation of **Charles Richard Kocher**, **State Bar No. 36899**, as a member of the State Bar of California is accepted.